UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,320	12/29/2000	Andrew Rouse	042846-0313440	6988

52796   7590   04/15/2010
PILLSBURY WINTHROP SHAW PITTMAN, LLP
c/o SUSAN TRADER
1650 TYSONS BOULEVARD
P.O. BOX 10500
MCLEAN, VA 22102

EXAMINER
PAN, YUWEN

ART UNIT	PAPER NUMBER
2618	

MAIL DATE	DELIVERY MODE
04/15/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 09/750,320
Filing Date: December 29, 2000
Appellant(s): ROUSE ET AL.

D. Benjamin Esplin (Reg. No. 58,297)
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed on 01/11/2010 appealing from the Office action

mailed 09/08/08.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings

which will directly affect or be directly affected by or have a bearing on the Board's decision in

the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in

the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,633,759   KOBAYASHI   10-2003

6,052,735   ULRICH et al.   4-2000

6,308,061   CRISS et al.   10-2001

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claim21, 22, 25-30, 32-35, 37-39, and 42-44 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Kobayashi (US006633759B1) in view of Ulrich et al.

Per claim 21, Kobayashi discloses a method for enabling a wireless client device to

communicate with at least one server having one or more applications residing thereon, the

method comprising the steps of: enabling the wireless client device (see figure 9 and item 2) to

select an application residing on the at least one server (see figure 9 and item 1); enabling the

wireless client device to select at least one application action associated with the selected

application residing on the at least one server (see column 2 and lines 30-40); executing the at

least one selected application action on the at least one server, the application comprising at least

one of opening at least one file within the server, closing at least one file within the server,

editing at least one file within the server, and searching at least one file within the server (see

column 2 and line 49-51). Kobayashi does not teach formatting at least one application output

associated with the at least one selected application action based on a profile of the wireless

client device and a user selection of more fields associated with the at least one file, transmitting

the formatted at least one application output to the wireless client device. Unlrich teaches

formatting at least one application output (any attachment or files, see column 12 and lines 57-

65) associated with the at least one selected application action (open or add) based on a profile of

the wireless client device and a user selection of more fields associated with the at least one file,

transmitting the formatted at least one application output to the wireless client device (see

column 14 and lines 14-19). It would have been obvious to one of ordinary skill in the art at the

time the invention was made to combine the references to properly forward attachment to the

destination with compatibility.

Per claim 28, Kobayashi discloses a wireless communication system comprising: at least

one server having one or more application thereon (see column 8 and lines 47-51); and at least

one wireless client device comprising: at least one wireless client device comprising: a

views/folders module that enables the at least one wireless client device to display options

associated with a selected application residing on the at least one server (column 9 and lines 40-

49); a default and custom actions module that enables the at least one wireless client device to

select at least one application action associated with the selected application to be executed on

the at least one server, the application action comprising at least one of opening at least one file

within the server, closing at least one file within the server, editing at least one file within the

server, and searching at least one file within the server; and a forms module that enables the

wireless client device to view at least one application output associated with the at least one

selected application action (see column 10 and lines 52-64). Kobayashi does not teach formatting

at least one application output associated with the at least one selected application action based on a profile of the wireless client device and a user selection of more fields associated with the at least one file, transmitting the formatted at least one application output to the wireless client device. Unlrich teaches formatting at least one application output associated with the at least one selected application action based on a profile of the wireless client device and a user selection of more fields associated with the at least one file, transmitting the formatted at least one application output to the wireless client device (see column 14 and lines 14-19). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the references to properly forward attachment to the destination with compatibility.

Same arguments apply, mutatis mutandis, to independent claims 33 and 38.

Per claims 22, Kobayashi further teaches that the user would be able to select at least one application such as email software (see column 4 and lines 35-38).

Same arguments apply, mutatis mutandis, to claims 32 and 37.

Per claims 25, 42, Ulrich further teaches that the profile of the wireless client device comprises at least one feature of the wireless device, and wherein the at least one the feature of the wireless client device comprises at least one of an input interface (number of objects), and a data processing feature (see column 14 and lines 50-60).

Per claim 26, 43, Kobayashi further teaches altering the object or artifact contained in the at least one application output separate from other information included in the at least one

application output, the object or artifact (see column 8 and lines 64-67, only job result to be sent) being altered to reduce an amount of information that the object or artifact contains (column 10 and line 65-column 11 and line 10).

Per claim 27, 44, Kobayashi further teaches that the wireless client device comprises at least one of a data-capable wireless phone, an interactive pager, or a personal digital assistant (see figure 9), however Kobayashi does not teach the profile of the wireless client device comprise a device type. The examiner takes an "Office Notice" that it is notoriously well known in the art to indicate the type of mobile device within the profile that is forwarded to another device so the another device could identify which device has been connected. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the type information of wireless device such that the receiving side is easy to identify when there is more than one device for connection. .

Per claims 29, 30, 34, 35, 39, Kobayashi further teaches that a customization module that enables the at least one wireless client device to customize at least one view of the at least one application output wherein inherently the customization module further enables the at least one wireless client device to customize at least one of a display language, a time zone, a date format, and a font format (see column 11 and lines 4-23).

3.   Claims 24 and 41 rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi (US006633759B1) and Ulrich et al in further view of Criss et al (US006308061B1).

Kobayashi does disclose an analogous art as recited in claim 21 and 38, Kobayashi

doesn't express teach that the profile of the wireless device comprises at least one of a feature of

the wireless client device or a device type of the wireless client device. Criss teaches that the

version number, and capacity, etc. of wireless device are transmit to a host computer for keep up

with the upgrade of the wireless device. It would have been obvious to one of ordinary skill in

the art at the time the invention was made to combine the teaching of Criss with Kobayashi's

system to reduce redundancy of upgrade by pre-verifying the feature and capacity of the wireless

device.

(10) Response to Argument

The appellant argues that prior art of record does not teaches "executing the at least one

selected application action on the at least one server, the application comprising at least one of

opening at least one file within the server, closing at least one file within the server, editing at

least one file within the server, and searching at least one file within the server; teach formatting

at least one application output associated with the at least one selected application action based

on a profile of the wireless client device and a user selection of more fields associated with the at

least one file..." The examiner respectfully disagrees. Kobayashi teaches a communication

system having a mobile communication device (item 2) to start/open software that is installed in

portable information processing device (item 1, e.g. laptop) via a wireless link, see figure below:
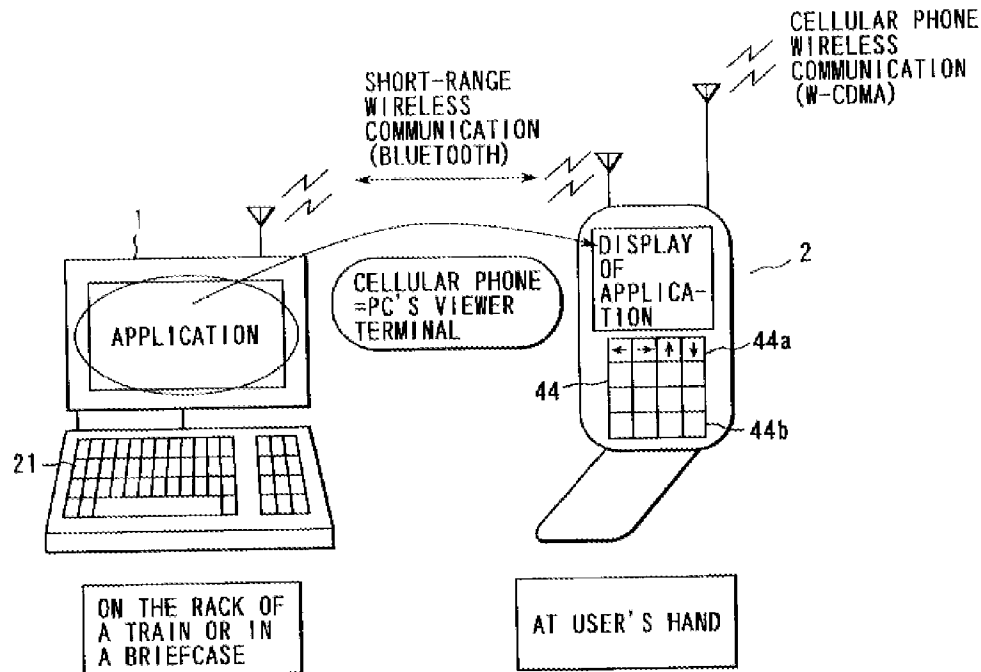
Kobayashi states:

> "... provided in the <u>mobile communication device</u> and
> <u>portable information processing device</u>, for establishing a
> wireless link for a wireless communication between the mobile
> communication device and portable information processing
> device; means, provided in the mobile communication device,
> for sending a signal to the portable information processing
> device via the <u>wireless link to start software</u> installed
> therein; means, provided in the portable information
> processing device, for sending display data generated by
> software installed in the portable information processing
> device to the mobile communication device via the wireless
> link in response the signal; and means, provided in the mobile
> communication device, for displaying the display data sent
> from the portable information processing device on a screen of
> the mobile communication device(see column 2 and lines 42-59, emphasis
> added)."

Kobayashi further states:

> "The software referred to herein includes, in case of the
> PC 1, application software installed in the PC 1, such as <u>word</u>
> <u>processing software</u>, and in case of the cellular phone 2,

```
       application software installed in the cellular phone 2, such as
       e-mail software (see column 4 and lines 33-38, emphasis added)
```

Thus, Kobayashi teaches a communication system that allows the mobile communication

device to access application or software on the server/computer by at least starting/opening the

software, such as e-mail or word process file.

Kobayashi further states:

```
            "…the personal computer engine 15 sends the screen data as
       the job result (display data generated by starting the software)
       to the cellular phone 2 in real time via the wireless link..."
            "The size of the screen of the cellular phone 2 is
       generally smaller than that of the PC 1. Therefore, when data is
       sent from the PC 1 to the cellular phone 2, it is preferable to
       process the data by changing the character font or removing
       unnecessary data in accordance with the size of the screen of the
       cellular phone 2(see column 8 and lines 64-67, column 10 and lines 65-column 11 and
       lines 3, emphasis added)."
```

Kobayashi further teaches after the application, such as word processing software or

email software being opened, under the request from the mobile phone, the PC would resize or

format the data that is need to be sent to the mobile phone in order to be compatible with the

mobile device. Thus, Kobayashi also teaches the formatting at least one application output

associated with at least one selected applications.

However, Kobayashi does not teach that such formatting is based on a profile of the

mobile device and a user selection of one or more fields associated with the at least one file.

Ulrich clearly teaches that such formatting is based on a profile of the mobile device and a user

selection of one or more fields associated with the at least one file. Ulrich states:

```
            "…In a preferred embodiment, the commands include an add-
       file command which allows the user to add a file to be downloaded
       during the next synchronization. The tool bar also preferably
       includes an open file command which allows the user to open any
       files then displayed by UI 132. Command bar 134 also preferably
```

includes a <u>copy file</u> command which allows the user to specify a
name and file to be copied from the mail store to a new location…
(column 12 and lines 57-column 13 and lines 11, emphasis added)"

"…<u>the user can set profile parameters</u> which indicate that a
specific file converter is to be invoked to convert any
attachment to be transferred to mobile device 3 <u>into a format
that is understandable by the device</u>. This is indicated by block
126 (Column 14 and lines 7-19, emphasis added)."

Based on the recitation above, Ulrich also teaches that the system allow the user remotely

at least open the file on the server/computer and transfer any data according to the user selected

profile and format the data such that it can be understood by the mobile device when the mobile

devices receives it (see figure 5A and 6). It would have been obvious to one of ordinary skill in

the art to combine the teaching of Ulrich with Kobayashi's system so that the received data

would be compatible with the mobile device and viewable by the user and less information to be

transferred to the mobile device.

The appellant further argues that it is not obvious to combine Kobayashi, Ulrich and

Criss for claims 24 and 41 and Criss reference does not teach the profile of the wireless client

device comprises at least one of a feature of the wireless client device or a device type of the

wireless client device. The examiner respectfully disagrees. Criss teaches that packet information

comprising the Version ID of software, memory, and mode is sent to the server see figure 5a

below.

Fig. 5a

Package Name	Version ID, Req. Memory, Mode	File Name	Mobile Ter. Path	FTP Path	Type	ROM/RAM

This packet information is same as the feature of the mobile device in which provides to the server such that the server understands the capacity of the mobile device before the server transfer data information to the mobile device for upgrade.

Furthermore, the appellant argues that Criss is outside the field of inventor's endeavor because the inventor's field of endeavor relates wireless device access server via a network. The examiner respectfully disagrees because Criss teaches a system between at least the mobile device and a host computer (see abstract) over a network for information exchanging. Therefore Criss reference is definitely in the same field of endeavor.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Conferees:

/Duc Nguyen/
Supervisory Patent Examiner, Art Unit 2618

Matthew Anderson
/Matthew D. Anderson/
Supervisory Patent Examiner, Art Unit 2618

Yuwen Pan
December 18, 2008
/Yuwen Pan/
Primary Examiner, Art Unit 2618